

UNITED STATES DISTRICT COURT

for the
District of Minnesota

In the Matter of the Search of
**MULTIPLE DEVICES SEIZED ON
SEPTEMBER 15, 2015 FROM RAMON
HERNANDEZ-RIVERA AND RUBEN
ALVAREZ-SANTACRUZ CURRENTLY
IN THE CUSTODY OF LAW
ENFORCEMENT**

Case No. 15-mj-888TNL

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the State and District of Minnesota:

See Attachment A

The person or property to be searched, described above, is believed to conceal:

See Attachment B

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before _____

(not to exceed 14 days)

_____ in the daytime 6:00 a.m. to 10 p.m. X at any time in the day or night as I find reasonable cause has been established.

You must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge Tony N. Leung.

Date and time issued:

November 10, 2015, 1:54 pm

Tony N. Leung
Judge's signature

City and state: St. Paul, MN

Tony L. Leung, U.S. Magistrate Judge
Printed name and title

SCANNED

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U.S. DISTRICT COURT ST. PAUL

Return

Case No.: IJ-13-0064	Date and time warrant executed: 11-13-2015 / 10:00 AM	Copy of warrant and inventory left with: seized property At ^{RCSO} property
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Inventory made in the presence of:

TFO Henrich

Inventory of the property taken and name of any person(s) seized:

All electronic data downloaded from Devices
1 thru 7 and stored on DVD.

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date:

11-18-2015

Executing officer's signature

Chris Fraichols / TFO

Printed name and title

Subscribed, sworn to, and returned before this date.

Janice Mangum
U.S. Judge or Magistrate Judge

Date

11/18/15

ATTACHMENT A

The property to be searched includes:

- a. Device 1. A white/black LG Android cellular phone assigned MEID: 349146207678274, seized from Ramon HERNANDEZ-RIVERA inside his Ford Escape with Minnesota plate 272-PJL during the course of his arrest on September 15, 2015;
- b. Device 2. An orange/black "Blu" cellular phone cellular phone IMEI: 354672060113725 and 354672061373724 (dual SIM), seized from Ramon HERNANDEZ-RIVERA inside his Ford Escape with Minnesota plate 272-PJL during the course of his arrest on September 15, 2015;
- c. Device 3. A black Kyocera cellular phone assigned MEID HEX: A0000041973D461412, seized from Ramon HERNANDEZ-RIVERA inside his Ford Escape with Minnesota plate 272-PJL during the course of his arrest on September 15, 2015;
- d. Device 4. A white Samsung cellular phone assigned IMEI not available, seized from Ramon HERNANDEZ-RIVERA inside his Ford Escape with Minnesota plate 272-PJL during the course of his arrest on September 15, 2015;
- e. Device 5. A white Samsung cellular phone assigned IMEI: 357549063670702, seized from Ramon HERNANDEZ-RIVERA inside his Ford Escape with Minnesota plate 272-PJL during the course of his arrest on September 15, 2015;

- f. Device 6. A white Samsung cellular phone assigned ESN: 359354/06/584122/11, seized from Ruben ALVAREZ-SANTACRUZ inside his Nissan Altima with Minnesota plate 206-MDM during the course of his arrest on September 15, 2015; and
- g. Device 7. A blue/black LG flip phone assigned IMEI: 014153006507744, seized from Ruben ALVAREZ-SANTACRUZ inside his Nissan Altima with Minnesota plate 206-MDM during the course of his arrest on September 15, 2015.

This warrant authorizes the forensic examination of the Devices for the purpose of identifying the electronically stored information described in Attachment B.

ATTACHMENT B

1. All records on the Device described in Attachment A that relate to violations of 21 U.S.C. Sections 841 and 846, and involve RAMON HERNANDEZ-RIVERA AND RUBEN ALVAREZ-SANTACRUZ, including:

- a. lists of customers and related identifying information;
- b. call history of the Devices;
- c. saved contact information;
- d. digitally stored photographs/video related to drug trafficking;
- e. any electronic correspondence related to drug trafficking;
- f. text messages;
- g. types, amounts, and prices of drugs trafficked as well as dates, places, and amounts of specific transactions;
- h. any information related to sources of drugs (including names, addresses, phone numbers, or any other identifying information);
- i. all bank records, checks, credit card bills, account information, and other financial records.

2. Evidence of user attribution showing who used or owned the Devices at the time the things described in this warrant were created, edited, or deleted, such as logs, phonebooks, saved usernames and passwords, documents, and browsing history;

3. As used above, the terms "records" and "information" include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as flash memory or other media that can store data) and any photographic form.

SEARCH WARRANT ADDENDUM

1. In conducting the search authorized by this warrant, the government shall make reasonable efforts to utilize computer search methodology that avoids searching files, documents or other electronically stored information which is not identified in the warrant.

2. If electronically stored data or documents have been identified and seized by the government pursuant to this warrant, the government may retain the original hard drive or other data storage mechanism. The person from whom the data storage device has been seized may request that the government provide him or her with electronic copies of the electronically stored data or documents by making a written request to the United States Attorney's Office, identifying with specificity the files, data, or software sought to be copied. The government must respond to all such requests within a reasonable amount of time, and must provide a copy of the electronically stored data or documents requested unless the copies requested constitute contraband, instrumentalities, or property subject to forfeiture.

3. Nothing in this warrant shall limit or prevent the government from seizing the computer as contraband or an instrumentality of a crime or commencing forfeiture proceedings against the computer and/or the data contained therein. Nothing in this warrant shall limit or prevent the owner of the computer from (a) filing a motion with the Court pursuant to Rule 41(g) of the Federal Rules of Criminal Procedure for the Return of Property or (b) making a request of the government to return certain specified files, data, software or hardware.

4. The government shall establish a search methodology governing the review of seized data to ensure that no attorney-client privileged communications will be inadvertently reviewed by the prosecution team. In the event that documents or other records seized pursuant to this warrant are identified by the government as possibly containing attorney-client privileged communications, an Assistant United States Attorney, who is not a member of the prosecution team and who is not participating in the search, shall act as a "taint team" to set up an ethical wall between the evidence and the prosecution team that will prevent any privileged material from getting through.